



PATENT Attorney Docket No. 4173.0519

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re Application of:  | )                            |
|--|------------------------------|
| IWAO YAMAZAKI  | )<br>Group Art Unit: Unknown |
| Application No.: 10/587,865                                      | ) Examiner: Unknown          |
| Filed: July 28, 2006   | ) Confirmation No.: Unknown  |
| For: ELECTRODE FOR TREATMENT AND DEVICE FOR TREATMENT            | )<br>)<br>)                  |
| Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 |                              |

Sir:

## **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement ("IDS") is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

In lieu of a statement of relevance or translation of the non-English document, applicant submits an International Preliminary Report on Patentability issued by the International Bureau of WIPO dated November 9, 2006, in a counterpart International application, citing the document and setting forth the relevance thereof.

The International Preliminary Report on Patentability also cites and discusses JP 2000-60977, which applicant previously cited in the IDS filed July 28, 2006. Since the document was previously cited, applicant neither lists it on the attached listing nor provides a copy.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated

Bv:

ichard V Burg

Rea. No. 3

| IDS F | orm PTO/SE | 3/08: Subst         | itute for for | m 1449A/PTO     |
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

|                        | Complete if Known | DEC    |
|------------------------|-------------------|--------|
| Application Number     | 10/587,865        | 10 OEL |
| Filing Date            | July 28, 2006     | 17     |
| First Named Inventor   | lwao Yamazaki     | Way.   |
| Art Unit               | Unknown           |        |
| Examiner Name          | Unknown           |        |
| Attorney Docket Number | er 4173.0519      |        |

| Examiner<br>Initials | Cite<br>No. <sup>1</sup> |  |                                | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where                    |  |
|----------------------|--------------------------|--|--------------------------------|--|---|--|
|                      |                          | Number-Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY |  | Relevant Passages or Relevant<br>Figures Appear |  |
|                      |                          | US-                                      |                                |  |   |  |
|                      |                          | US-                                      |                                |  |   |  |
|                      |                          | US-                                      |                                |  |   |  |
|                      |                          | US-                                      |                                |  |   |  |
|                      |                          | US-                                      |                                |  |   |  |
| _                    |                          | US-                                      |                                |  |   |  |
|                      |                          | US-                                      |                                |  |   |  |
|                      |                          | US-                                      |                                |  |   |  |

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

| FOREIGN PATENT DOCUMENTS |                          |  |                                |  |  |             |
|--------------------------|--------------------------|--|--------------------------------|--|--|-------------|
| Examiner<br>Initials     | Cite<br>No. <sup>1</sup> | Foreign Patent Document  Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures<br>Appear | Translation |
|                          |                          | JP 9-66112   | 3/11/97                        | Ya-Man Ltd.  |  |             |
|                          |                          |  |                                |  |  |             |
|                          |                          |  |                                |  |  |             |

| NON PATENT LITERATURE DOCUMENTS |                          |   |                          |  |
|---------------------------------|--------------------------|---|--------------------------|--|
| Examiner<br>Initials            | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation <sup>6</sup> |  |
|                                 |                          | International Preliminary Report on Patentability issued by the International Bureau of WIPO on November 9, 2006, for International Application No. PCT/JP2005/001257   |                          |  |
|                                 |                          |   |                          |  |
|                                 |                          |   |                          |  |
|                                 |                          |   |                          |  |

| Examiner  | Date       |  |
|-----------|------------|--|
| Signature | Considered |  |
|           |            |  |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.